

Minutes of Regular Meeting of December 8, 2009

City Council Chambers, One Twin Pines Lane

REGULAR MEETING – CALL TO ORDER 7:10 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Feierbach, Lieberman, Dickenson, Wozniak, Braunstein

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Crist, City Attorney Zafferano, Human Resources Director Dino, Interim Public Works Director Borrmann, Police Chief Mattei, Finance Director Fil, Parks and Recreation Director Gervais, Information Services Manager Harnish, Community Development Director de Melo, City Treasurer Violet, and City Clerk Cook.

PLEDGE OF ALLEGIANCE

Led by the Belmont Police Department Honor Guard

PUBLIC COMMENTS AND ANNOUNCEMENTS

Marshall Dinowitz, Belmont resident, stated that the California Fair Elections Act will be on the June 2010 ballot, which focuses on fundraising for elections. The intent is to address special interest money, and would change the method for raising campaign funds. He described the features of the proposed act, and noted that funding for implementation would come from fees paid by lobbyists.

Kathleen Beasley, Belmont Library, congratulated the newly elected and re-elected Council members. She thanked the Parks and Recreation staff for its ongoing maintenance of the library facility. She outlined upcoming activities and events.

Mayor Braunstein congratulated Ms. Beasley and the library staff for their efforts in making these activities available.

Cheryl Joseph, Notre Dame de Namur University, announced an upcoming dance festival to be held at the University. She also noted that the NDNU students and families held an annual picnic in Golden Gate Park where food was shared with the homeless.

Vikram and Pragati Sharma, Belmont residents, described a dispute they are experiencing regarding a home construction project. They noted that the contractor is under review by the State licensing board and they are unable to complete their project. They requested additional time on their building permit.

City Manager Crist noted that he would make contact with the Sharmas to discuss their issue.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Mayor Braunstein noted that the Belmont-San Carlos Fire Department would be holding an open house at Fire Station 14, which includes a toy drive.

CONSENT CALENDAR

Approval of Minutes of Special and Regular Meeting of November 10, 2009

Approval of Minutes of Special Meeting of November 12, 2009

Approval of Resolution 10195 Declaring the Results of the Regular Municipal Election Held on November 3, 2009

Approval of Resolution 10196 in Appreciation of Outstanding Public Service by Bill Dickenson

ACTION: On a motion by Councilmember Wozniak, seconded by Councilmember Feierbach, the Consent Agenda was unanimously approved by a show of hands.

NEW BUSINESS

Recognition of Outgoing Mayor

Vice-Mayor Wozniak presented Mayor Braunstein with a plaque. She noted that the Mayor did a good job trying to keep everyone on point. She noted that he is fair and dignified, and thanked him for his support for her as Vice-Mayor.

City Manager Crist noted that Mayor Braunstein was the 50th Mayor in the City of Belmont. He presented the Mayor with a Book of Mayors. He also presented the Mayor's wife and children with gifts.

Councilmember Lieberman thanked Mayor Braunstein for an outstanding year. He noted that the Mayor kept focus through the year. He acknowledged Mayor Braunstein for bringing a variety of individuals and groups from the community to lead the Pledge of Allegiance at Council meetings, and commended him for making presentations from the podium rather than from the dais.

Councilmember Feierbach stated that Mayor Braunstein is patient and kind.

Councilmember Dickenson stated that he respects the efforts of Mayor Braunstein this past year.

Remarks by Outgoing Mayor

Mayor Braunstein stated that he was selected Mayor after only one year on the City Council. He stated his goal was to perform outreach and provide strong communication. He reviewed accomplishments from this past year, including the economic issues and their impact on the City of Belmont, the acquisition of properties, and the approval of an exclusive negotiating agreement with Bohanan Corporation for economic development. He stated that he performed outreach to the Mayor of San Mateo, which had not been done before. He also outreached to the Mid-Peninsula Water Board. He acknowledged the joint meeting with the Belmont-Redwood Shores School District. He stated he continued the community lunches that were started by Councilmember Lieberman when he was Mayor. He responded to neighborhood needs. He outlined various issues and initiatives for healthy living, including the San Juan Canyon property acquisition, the future development of new parks, the field use agreement, and the progress on the bike/pedestrian bridge. He noted that in 2009, Forbes.com rated the City of Belmont as the 11th most livable cities in the nation.

Mayor Braunstein acknowledged other accomplishments during 2009, including the sewer capital improvement program, the selection of a new trash hauler, no increase in transit occupancy tax, and the postponement of the sewer capital charges. He outlined many issues to be addressed in 2010 and beyond, including the fire joint powers agreement, the hiring of a new city manager, roads infrastructure, the bike/pedestrian bridge project, budget issues, business retention, rehabilitation of sports fields, neighborhood programs, high-speed rail, water rates, and completion of the Emmett House rehabilitation.

Mayor Braunstein said that he looks forward to working with the City Council on upcoming issues. He thanked them for their open communication. He thanked City Manager Crist, City staff, and City Treasurer Violet. He stated that it is his hope that he has been a great steward for the City of Belmont.

Recognition of Outgoing Councilmember Dickenson

Mayor Braunstein presented Councilmember Dickenson with a Proclamation. City Manager Crist presented him with a plaque. He noted that Councilmember Dickenson always pushed staff on items of importance, including the Ralston/Highway 101 interchange project, PG&E rate increases, and the undergrounding of utilities on Old County Road.

Walt Shjeflo, Belmont resident, thanked Councilmember Dickenson for his input on the Twin Pines Fence Committee. He noted that Councilmember Dickenson attended an Eagle Scout ceremony, and noted that those attending would always remember his presence there. He stated that politics at the local level has the most effect on the community.

Carole Groom, Board of Supervisors, presented Councilmember Dickenson with a Proclamation in thanks for his service.

Shaun Naidu, Assemblymember Jerry Hill, also presented Councilmember Dickenson with a Proclamation in thanks for his service.

Councilmember Wozniak noted that Councilmember Dickenson provided leadership for the Green Advisory Committee, and exhibited courage regarding PG&E's ongoing requests for rate increases. She noted that he supported many other issues, both within the City of Belmont and regionally.

Councilmember Feierbach stated that sometimes she and Councilmember Dickenson agreed, and sometimes did not. She thanked him for his efforts on environmental issues, and on the protection of parks and the San Juan Canyon.

Councilmember Lieberman stated that he and Councilmember Dickenson served together on the Harbor Industrial Area organization and the Belmont-San Carlos Fire Commission. Councilmember Dickenson always supported quality of life issues even if meant political risk.

Remarks by Outgoing Councilmember Dickenson

Councilmember Dickenson stated that he was honored to serve the community where he grew up. He thanked residents, businesses, neighborhood association, commissioners, and City

Treasurer Violet. He thanked former Finance Commissioner Ledoux for bringing the issue of energy legislation to his attention. He thanked the Board of Supervisors and State legislators for their support. He thanked Judge Don Franchi, newly-elected judge. He thanked councilmembers from other cities. He thanked the City of Foster City for donating its undergrounding credits to Belmont to complete the project on Old County Road. He thanked the water department and City staff.

Councilmember Dickenson noted that local government was formed for the purpose of protection of public safety. He asked the City Council to remember this issue at budget time, as public safety is important. He acknowledged newly-elected Councilmember Warden for his leadership. He stated that he loves Belmont.

At this time, Councilmember Dickenson stepped off the dais.

Oath of Office of New Councilmember Warden and Re-elected Councilmembers Lieberman and Feierbach

Oath of Office for Councilmember Warden was administered by Lisa Warden. The Oath of Office for Councilmember Lieberman was administered by Gracie Lieberman. The Oath of Office for Councilmember Feierbach was administered by City Clerk Cook.

Remarks by Councilmember Warden

Councilmember Warden stated that it had been a good campaign, and issues were addressed. He thanked all who helped with his campaign. He noted that he received support from many other elected officials. He thanked his family for their support. He noted that he did not run two years prior as he did not want to run against Councilmembers Braunstein and Wozniak. He is a Belmont native who has had a business and has taught school in Belmont. He pledged to do what is best for Belmont. He respects the work of the Parks and Recreation Commission, and noted that until he served on the commission he did not realize the breadth of issues it addresses. He would like to bring the same spirit of camaraderie from that commission to the City Council.

Councilmember Warden outlined issues that will need to be addressed by the Council, including the Belmont-San Carlos Fire Department funding formula, the completion of the undergrounding project on Old County Road, completion of the Emmett House restoration, hiring of a new city manager, the bike/pedestrian bridge, financial stability, economic development, high-speed rail, development of two new parks, and installation of artificial turf at the Sports Complex. He pledged no new taxes or fees. He cited the need for a vision for the Barrett facility, as well as the need to raise money for the San Juan Canyon land purchase with a minimum number of lots to be developed.

Councilmember Warden thanked outgoing Councilmember Dickenson for his comments.

Remarks by Councilmember Lieberman

Councilmember Lieberman stated that he looks forward to serving on the City Council for another four years. He thanked his family and those who worked on his campaign. He thanked former City Treasurer Mason for his assistance on his campaign. He thanked former Finance Commissioner Ledoux. He acknowledged staff for its efforts, as well as other cities in San Mateo

County for the regional joint powers authority work. He also acknowledged the other candidates, as well as the eight Carlmont students who chose to get their government service credit by helping in a local election.

Councilmember Lieberman stated that the job performed by the City Council, not the position, is important. He noted that he implemented a citizens' campaign strategy as a way to get people involved. He ran his campaign on a shoestring budget and spent less than \$2,000. He noted that if one serves well, one does not need to spend much money. He pledged to implement thoughtful and caring leadership for the next four years, and he will represent all citizens and businesses.

Remarks by Councilmember Feierbach

Councilmember Feierbach outlined her campaign issues. She thanked those who helped. She outlined issues that will need to be addressed over the next four years, including development of downtown, continuing to help residents and businesses, artificial turf for the Sports complex, and school overcrowding. She thanked her fellow Councilmembers for their support.

Selection of Mayor for 2010

Councilmember Feierbach nominated Councilmember Wozniak for Mayor.

ACTION: On a motion by Councilmember Feierbach, Resolution 10197 Appointing Christine Wozniak as Mayor for 2010 was unanimously approved by a show of hands.

Oath of Office for Mayor

The Oath of Office Mayor Wozniak was administered by City Clerk Cook.

Remarks by New Mayor

Mayor Wozniak stated that she hopes to do as good a job as Mayor Braunstein. She noted that the year ahead has many challenges. She stated that the proposed high-speed rail could be the biggest infrastructure project in the history of the Bay Area. She outlined the activities of the high-speed rail consortium as well as the Green Advisory Committee. She noted that water issues would need to be addressed, including rising prices, potential shortages, and the use of gray water. She stated the Council will keep its eye on State water issues. Careful decisions will need to be made regarding the expenditure of tax dollars in light of the current economic situation. She hopes to improve communications with the public, and she pledged continuing connections, such as community lunches.

Selection of Vice-Mayor for 2010

Councilmember Lieberman nominated Councilmember Warden for Vice-Mayor. Councilmember Warden declined the nomination.

Councilmember Warden nominated Councilmember Feierbach for Vice-Mayor.

ACTION: On a motion by Councilmember Warden, Resolution 10198 Appointing Coralin Feierbach as Vice-Mayor for 2010 was unanimously approved by a show of hands.

RECESS at this time, being 9:00 p.m., to Reception

RECONVENE at this time, being 9:45 p.m.

**COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL
ASSIGNMENT UPDATES, AND STAFF ITEMS**

**Discussion & Direction Regarding the South Bayside System Authority (SBSA) Force Main
Capital Improvement Project Policy Direction Vote Scheduled For Thursday December 10,
2009**

Interim Public Works Director Borrmann described the sewer system improvement plan and outlined the proposed cost allocation options. She noted that allocation is based on ownership of components of the system. Belmont's share is \$45 million of the estimated \$400 million project. There has been much discussion regarding the allocation since the question arose in 2008 as to why Belmont is paying for other city's portion of the system. She noted that the SBSA Commission agreed in concept that each city should be charged only for the portion each uses.

Interim Public Works Director Borrmann provided current flow data and the cost allocations based on that data. She outlined alternative allocation methodologies, including the model supported by the commission and the model supported by Councilmember Lieberman.

Councilmember Lieberman stated that SBSA's Technical Advisory Committee did not provide a recommendation as requested. There is no unanimity by the Commission regarding which allocation option to select. He noted that two of the options proposed are based on each city paying only for the share of the system that it uses. He clarified that the estimates provided are preliminary only, and the decision is to be based on allocation, not on dollars. A vote on this matter is scheduled for December 10th.

In response to Councilmember Feierbach, Councilmember Lieberman stated that any of the options requires a 75 percent affirmative vote. If Belmont is the only no vote on any option, it could still pass. He noted that the cost allocation formula is not based on the voting allocation, and the charges could not be imposed on the City of Belmont if the City does not vote for it. Belmont's position is that it will pay only for its fair share. He clarified that one of the options poses a risk for Belmont due to many unknown factors in sections of the system that Belmont does not use.

Councilmember Feierbach stated that Councilmember Lieberman has represented Belmont well on this issue and she recommended that he continue to make the best decision for Belmont. Council concurred to leave the decision to Councilmember Lieberman at the upcoming vote.

ADJOURNMENT at this time, being 10:15 P.M.

Terri

Cook

City Clerk

Meeting Tape Recorded and Videotaped
Audio Recording 742